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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,500	10/12/2001	Peter Yeung	031941-094	3432
27045	7590	12/29/2005	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			OSMAN, RAMY M	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/976,500	<b>Applicant(s)</b> YEUNG, ET AL	
	<b>Examiner</b> Ramy M. Osman	<b>Art Unit</b> 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 35-37,40-42,44,45,47-57 and 63-68 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 35-37,40-42,44,45,47-57 and 63-68 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Status of Claims***

1. This communication is in response to amendment filed October 14, 2005, where applicant amended claims 35-37,40,41,44,45,47,48,50,52-56,63-68, and cancelled claims 38,39,43,46,58-62. Claims 35-37,40-42,44,45,47-57,63-68 are pending.

### ***Response to Arguments***

2. Applicant's arguments filed 10/14/2005, with respect to claims 35-68 have been considered but are not persuasive.
3. Examiner appreciates applicants amendments which attempts to further clarify and more distinctly claim the invention. However, the claims remain broad and are thus rejected as explained below.
4. Applicant argues that Gershman fails to disclose a system wherein the "personal profile data" are stored in one application and the "personal protection profile information" controlling the access to that personal profile data are maintained in a separate central protection server.

*In reply*, it is noted that the features upon which applicant relies (i.e., personal protection information is stored and maintained in the central server) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claims broadly state the central server as "having access to personal protection information...". A server "having access" to information does not mean that the protection information is stored on the server and is separate from the profile. Rather it means that the

Art Unit: 2157

server is able to obtain the protection information in some unmentioned way. Therefore, the claims are broadly interpreted in this way, and is explained in the rejection that follows below.

5. Applicant argues that Gershman does not disclose concealing the user identity.

*In reply*, it is noted that the features upon which applicant relies (i.e., concealing the user identity) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

#### *Abstract / Specification*

6. The abstract is objected to because of the following informalities:

Change “concealed for an” to “concealed ~~for~~ from an”.

7. The disclosure is objected to because of the following informalities:

In paragraph [0012] of the PG-PUB specification, lines 4-5, change “possible for for example companies” to “possible ~~for~~, for example, companies”.

In paragraph [0012] of the PG-PUB specification, lines 9-10, change “enable for example for an” to “enable for example, ~~for~~ an”.

In paragraph [0018] of the PG-PUB specification, line 3, change “Particularly is for each” to “Particularly ~~is~~ for each”.

In paragraph [0018] of the PG-PUB specification, line 6, change “denoted a DTD agreement” to “denoted as a DTD agreement.”.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claim 35 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation “wherein said requesting application requesting said ...” on line 20 and on, is unclear. Examiner suggests replacing the second occurrence of ‘requesting’ with ‘requests’, if this is what applicant intended. Otherwise the limitation is unclear. (Applicant is requested to correct any subsequent claim that contains this occurrence).
10. Claim 35 recites the limitation "said access request" in line 16. There is insufficient antecedent basis for this limitation in the claim. (Applicant is requested to correct any subsequent claim that contains this occurrence).

***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. **Claims 35-41,43-47,57-59,61,63,65 and 66 rejected under 35 U.S.C. 102(e) as being anticipated by Gershman et al (US Patent No 6,199,099).**

13. In reference to claims 35,58,63 and 66, Gershman teaches a system, a personal profile control network and a method for distributing and maintaining end-user personal profile data in a data communications system, said system providing communication between applications using said personal profile data, the system comprising:

a central protection server having access to personal protection profile information, wherein said personal protection profile information stored information for a particular user as to which personal profile data associated with said particular user is accessible by which particular application (column 32 line 50 – column 33 line 5, column 4 lines 44-46&55-67 and column 35 lines 7-12, Gershman discloses a central profile gateway server that has access to user profiles where the owner of the profile specifies accessibility permissions by way of profile Personas);

a requesting application for requesting access to certain personal profile data associated with a particular user, said user being identified by a first user identity (column 34 lines 55-67, merchants request access);

an information providing application having access to said certain personal profile data associated with said user (column 34 lines 55-67, Gershman discloses a central profile gateway server);

wherein said central protection server receives said access request for said certain personal profile data from said requesting application and grants or rejects said request by evaluating the associated personal protection profile information for said particular user (column 34 lines 55-67);

wherein said requesting application requesting said certain personal profile data from said information providing application in response to said central protection server granting said

Art Unit: 2157

access request (column 34 lines 55-67, if it is granted permission then it inherently requests information).

14. In reference to claim 36, Gershman teaches the system according to claim 35, wherein there is one access means for each of said requesting application and said information providing application (column 35 lines 5-40 and figures 17 & 18).

15. In reference to claim 37, Gershman teaches the system according to claim 35, wherein said central protection server provides a second user identity to the requesting application in response to said access request being granted, wherein said second user identity identifies the user within said information providing application and wherein said requesting application requests said certain personal profile data from said information providing application using said second user identity (column 35 lines 5-40 and figures 17 & 18).

16. In reference to claim 40, Gershman teaches the system according to claim 35, wherein the personal protection profile information are assigned one of a number of security levels, a lowest security level indicating that all personal profile data access is prevented for every application, and a highest security level indicating that all personal profile data is freely available (column 35 lines 5-60).

17. In reference to claims 41 and 59, Gershman teaches the system according to claims 36 and 58, wherein an interface between said requesting application and said respective access means comprises an Application Programmable Interface based on a generic markup language (column 9 line 10 – column 10 line 10).

Art Unit: 2157

18. In reference to claim 43, Gershman teaches the system according to claim 41, wherein access to requested end-user personal profile data is granted or rejected by the central server in communication with the requesting application.

19. In reference to claims 44 and 64, Gershman teaches the system according to claims 35 and 63, wherein access to said requested personal profile data is granted or rejected by the central server in communication with the information providing application (column 34 line 45 – column 35 line 11).

20. In reference to claims 45 and 65, Gershman teaches the system according to claims 35 and 63, wherein access to said requested personal profile data is granted or rejected by the central server in communication with the requesting application and the information providing application (column 34 line 45 – column 35 line 11).

21. In reference to claim 47, Gershman teaches the system according to claim 36, wherein user identity translating means are provided in the access means of the requesting application (column 34 line 45 – column 35 line 11).

22. In reference to claim 57, Gershman teaches the system according to claim 35, wherein at least some of the applications include respective cache memory for temporarily holding information about access requests, and a previously used session can be reused at least for a given time period (columns 32-34).



***Claim Rejections - 35 USC § 103***

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**24. Claims 42,48-51 and 60 rejected under 35 U.S.C. 103(a) as being unpatentable over unpatentable over Gershman (US Patent No 6,199,099) in view of Weschler (US Patent No 6,757,720).**

25. In reference to claims 42 and 60, Gershman teaches the system according to claims 41 and 59, including HTML (column 9 lines 10-40). Gershman fails to explicitly teach wherein the generic markup language is XML. However, Weschler does teach managing profile data via a profile service engine (Abstract and column 4 lines 45-67). Weschler discloses using a markup language such as XML for the usefulness of it dynamic formatting capabilities (column 8 lines 20-40 and column 9 lines 50-67).

It would have been obvious for one of ordinary skill in the art to modify Gershman by making the markup language as XML as per the teachings of Weschler for the usefulness of it dynamic formatting capabilities.

26. In reference to claim 48, Gershman teaches the system according to claim 35. Gershman fails to explicitly teach wherein a general Document Type Definition (DTD) is defined to allow flow of personal data between said requesting application and said information providing application. However, Weschler teaches managing profile data via a profile service engine

(Abstract and column 4 lines 45-67). Weschler discloses DTD's for authenticating request messages (column 9 lines 50-67 and column 16 lines 18-65).

It would have been obvious for one of ordinary skill in the art to modify Gershman by giving DTD's for data flow as per the teachings of Weschler since it is a structure of markup languages for providing authentication.

27. In reference to claim 49, Gershman teaches the system according to claim 48. Gershman fails to explicitly teach wherein for each user a specific user DTD agreement is given (Weschler , column 9 lines 50-67 and column 16 lines 18-65).

28. In reference to claim 50, Gershman teaches the system according to claim 36. Gershman fails to explicitly teach wherein said access request for said personal profile data is transported from the requesting application to its access means using Remote Method Invocation (RMI) (Weschler , column 8 lines 25-67).

29. In reference to claim 51, Gershman teaches the system according to claim 50. Gershman fails to explicitly teach wherein the request is transported as an XML transport object tagged with information about the requested end-user personal profile data (Weschler , column 8 lines 20-40 and column 9 lines 50-67).

30. **Claim 52 rejected under 35 U.S.C. 103(a) as being unpatentable over unpatentable over Gershman (US Patent No 6,199,099) in view of Hoyle (US Patent No 6,771,290).**

Gershman teaches the system according to claim 36, using HTTP and other protocols including secure protocols (column 9 lines 16-20 and column 35 lines 17-22). Gershman fails to explicitly teach wherein an HTTPS protocol is used for communication between the access

means of the requesting or information holding application and the central protection server. However, "Official Notice" is taken wherein HTTPS is a well-known security protocol for communication over HTTP, as is taught by Hoyle (column 12 lines 5-15).

It would have been obvious for one of ordinary skill in the art to modify Gershman by making the HTTP communication into HTTPS protocol as per the teachings of Hoyle for the purpose of secure communication over HTTP.

**31. Claims 53-56,61,66 and 67 rejected under 35 U.S.C. 103(a) as being unpatentable over unpatentable over Gershman (US Patent No 6,199,099) in view of Hind et al (US Patent No 6,826,690).**

32. In reference to claims 53 and 67, Gershman teaches the system according to claims 36 and 66. Gershman fails to explicitly teach wherein the access means of the information requesting or providing application includes means for encrypting the user identity. However, Hind teaches encryption of the originator of the message (Summary and column 9 lines 40-67).

It would have been obvious for one of ordinary skill in the art to modify Gershman wherein the access means of the information requesting or providing application includes means for encrypting the user identity associated with the requested end-user profile as per the teachings of Hind for the purpose of secure participation of entities in communication.

33. In reference to claims 54,62 and 68, Gershman teaches the system according to claims 36,61 and 66. Gershman fails to explicitly teach wherein the request is digitally signed with at least one of a private key of the access means of the requesting application and a private key of the access means of the information providing application. However, Hind teaches generating a

Art Unit: 2157

digital signature for a request using a servers private key for secure communication purposes (Summary and column 13 lines 30-60).

It would have been obvious for one of ordinary skill in the art to modify Gershman wherein the request is digitally signed with at least one of a private key of the access means of the requesting application and a private key of the access means of the information providing application as per the teachings of Hind for the purpose of secure participation of entities in communication.

34. In reference to claim 55, Gershman teaches the system according to claim 54, wherein the request is digitally signed with a private key of the central protection server, and a digital signature of the access means are verified in the central protection server (Hind, Summary and column 13 lines 30-60).

35. In reference to claim 56, Gershman teaches the system according to claim 55, wherein the central server means comprises means for encrypting at least the second user identity used by the information providing application (Hind, Summary and column 13 lines 30-60).

36. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2157


CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO  
December 17, 2005



ADVISORY/PATENT EXAMINER  
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